

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NINA KING and BRIANNA ALVAREZ,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

WHITE HOUSE BLACK MARKET, INC.,

Defendant.

Civil Action No. 1:22-cv-03385-JGK

**DECLARATION OF YITZCHAK KOPEL IN SUPPORT OF PLAINTIFFS’  
OPPOSITION TO DEFENDANT’S MOTION TO DISMISS**

I, Yitzchak Kopel, declare as follows:

1. I am an attorney at law licensed to practice in the State of New York, and a member of the Bar of this Court. I am a Partner at Bursor & Fisher, P.A., counsel of record for Plaintiffs. I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, could and would competently testify thereto under oath.

2. Attached hereto as **Exhibit 1** are true and correct excerpts from the Federal Reserve’s Report on the Economic Well-Being of U.S. Households in 2015, dated May 2016. The entire report can be found at <https://www.federalreserve.gov/2015-report-economic-well-being-us-households-201605.pdf>.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Memorandum of the Industrial Commissioner, June 3, 1966, Bill Jacket, L 1966, ch. 548.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the Memorandum of the Industrial Commissioner, April 5, 1967, Bill Jacket, L 1967, ch. 310.

5. Attached hereto as **Exhibit 4** is a true and correct copy of an Opinion Letter from the New York State Department of Labor dated October 28, 2010, issued in response to Request for Opinion No. RO-10-0003.

6. Attached hereto as **Exhibit 5** is a true and correct copy of the transcript for oral argument before Judge Pamela K. Chen of the Eastern District of New York in the case captioned *Quintanilla v. Kabco Pharmaceuticals, Inc. et al.*, Case No. 2:19-cv-06752-PKC (ECF No. 27, June 30, 2022).

I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct. Executed on August 19, 2022 at New York, New York.

  
\_\_\_\_\_  
Yitzchak Kopel